

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1104

To protect and enforce the equal privileges and immunities of citizens of the United States and the constitutional rights of the people to choose Senators and Representatives in Congress.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1995

Mr. SANFORD (for himself, Mr. DEAL of Georgia, and Mrs. CHENOWETH) introduced the following bill; which was referred to the Committee on House Oversight

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## A BILL

To protect and enforce the equal privileges and immunities of citizens of the United States and the constitutional rights of the people to choose Senators and Representatives in Congress.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Electoral Rights En-  
5 forcement Act of 1995”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that:

1           (1) The right of the people of the States to  
2 choose their Senators and Representatives in Con-  
3 gress is a fundamental right and a privilege and im-  
4 munity of citizenship reserved to the States or the  
5 people by the tenth amendment, and enforceable  
6 under the fourteenth, fifteenth, seventeenth, nine-  
7 teenth, twenty-fourth and twenty-sixth amendments  
8 and article I, sections 4 and 8, of the Constitution.

9           (2) A State and its people may reasonably con-  
10 clude that requiring regular rotation in office of  
11 their Senators and Representatives in Congress best  
12 serves their needs and the interests of good govern-  
13 ment.

14           (3) An overwhelming majority of the people in  
15 every State favor term limits on their Senators and  
16 Representatives in Congress.

17           (4) Long-time incumbents often have benefits  
18 from their offices that have given them unequal ad-  
19 vantages in obtaining reelection.

20           (5) Entrenched incumbency has had the effect  
21 of denying equal rights to seek office.

22           (6) Entrenched incumbency has had the effect  
23 of reducing the participation of racial minorities,  
24 women, and young voters in elections for the Senate  
25 and House of Representatives.

1           (7) Long-time incumbents often encourage un-  
2           constitutional gerrymandering of congressional dis-  
3           tricts to assist their continuing in office.

4           (8) Long-time incumbents often become more  
5           responsive to special interests than to the voters,  
6           thus infringing on the voter's right to nondiscrim-  
7           inatory treatment in the provision of government  
8           services.

9           (9) Long-term incumbents often have advan-  
10          tages in obtaining financial support for campaigns,  
11          which result in greatly unequal opportunities among  
12          candidates seeking election.

13          (b) PURPOSE.—The purposes of the Act are—

14           (1) to enforce the guarantees of equal protec-  
15           tion of the laws and protect the privileges and im-  
16           munities of citizens of the United States, as guaran-  
17           teed by the fourteenth amendment, by authorizing  
18           the people and the States to limit the terms of their  
19           Senators and Representatives in Congress;

20           (2) to enforce the guarantees of the tenth  
21           amendment to the same end;

22           (3) to enforce the guarantees of the fifteenth,  
23           nineteenth, twenty-fourth, and twenty-sixth amend-  
24           ments to the same end;

1           (4) to enforce the right of the people to choose  
2           their Representatives in Congress guaranteed by ar-  
3           ticle 1 of the Constitution;

4           (5) to enforce the right of the people to choose  
5           their Senators guaranteed by the seventeenth  
6           amendment to the Constitution; and

7           (6) to regulate the manner of elections to Con-  
8           gress.

9   **SEC. 3. AUTHORIZATION AND ENFORCEMENT; SENATE.**

10          Each State or the people thereof may prescribe the  
11          maximum number of terms to which a person may be  
12          elected or appointed to the Senate of the United States.

13   **SEC. 4. AUTHORIZATION AND ENFORCEMENT; HOUSE OF**  
14                           **REPRESENTATIVES.**

15          Each State or the people thereof may prescribe the  
16          maximum number of terms to which a person may be  
17          elected to the House of Representatives of the United  
18          States.

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